

"Express Mail" mailing label number EV 330129335 US

Date of Deposit: September 29, 2004



PATENT
CASE NO. 10544/169

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)

Vladimir V. Protopopov)

Serial No.: 10/035,025)

Filed: December 28, 2001)

For: DARK-FIELD PHASE)
CONTRAST IMAGING)

) Group Art Unit: 2882

) Examiner: Keaney, Elizabeth Marie

RESPONSE PURSUANT TO 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Response regards the Office Action mailed April 29, 2004. The proposed Response is necessary and was not earlier presented because it responds to the Advisory Action mailed on July 27, 2004 that provided new arguments why the rejection based on obviousness-type double patenting was proper. It is not believed that this Response will require further consideration from the Examiner to an extent that a new search need be performed. Furthermore, since a Terminal Disclaimer is being filed concurrently with the Response the rejection based on obviousness-type